

EXHIBIT

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF JOEL COUNCIL

I, Joel Council, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as **Exhibit A** to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was present in the mall area of the World Trade Center when the terrorist attacks of the World Trade Center Towers occurred.

4. I was an employee of The Fitness Company at Three World Trade Center, located at the top of the Marriott Hotel in the building between the north and south towers of the World Trade Center on September 11, 2001.

5. I was in New York City at Ground Zero when the plane(s) hit the towers and I received physical injuries in the escape and collapse. I was in the mall area when I encountered a

security officer who was running through the mall telling everyone to leave because of a plane striking the building. I called my wife and she told me about the terrorist attacks and pleaded with me to get out. As I began to run I saw debris flying. When I reached the outside I saw a plane strike the second tower and people jumping from the North Tower. I began to run at a more rapid pace, but tripped and fell over a body, damaging my left knee and injuring my lower back. I managed to get up and attempted to run into neighboring buildings, but was unsuccessful because of the crowds. I continued to run and when my strength failed me, to walk. I managed to get to Brooklyn, where my wife picked me up at our church at 290 North Flatbush. In the course of the attack and my escape, I witnessed atrocities beyond the imagination of the average citizen. The situation could only be compared to a war zone. I was going about my everyday life in a peaceful manner when we were brutally attacked by terrorists and my life was altered forever.

6. As a result of these terrorist attacks, I suffered the following specific injuries on September 11, 2001: left knee joint effusion, muscle spasms in his neck, dislocated and bulging disc at the level of L5-S1, major depression, anxiety and PTSD.

7. I went through traumatic experiences trying to escape Ground Zero. I witnessed hundreds of people jumping and landing to their death. I suffer every day from flashbacks of people jumping from the buildings and seeing them on the ground. I suffer from continued depressive symptoms, including middle insomnia, moodiness, weight gain, low energy, low interest and loss of enjoyment, impaired concentration due to feeling of being lost.


8. I sought medical attention for my injuries. Attached as **Exhibit B** to this Declaration is a true and correct copy of my medical records related to the treatment that I received following the September 11, 2001 terrorist attacks.

9. I suffered, and continue to suffer, severe emotional distress as a result of the above terrorist attacks. I suffered and continue to suffer from anxiety and bouts of depression due to the traumatic events of these terrorist attacks.

10. I previously pursued a claim (Claim Number VCF 212-001177) through the September 11th Victim Compensation Fund specifically related to my physical and mental injuries incurred on September 11, 2001, and my claim was determined to not be eligible for compensation.

I declare UNDER PENALTY OF PERJURY that the foregoing is true and correct.

EXECUTED on this 23 day of December 2019.



Signature of Declarant, Joel Council

**EXHIBITS
FILED
UNDER SEAL
(ECF No.
5716)**